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19 MAR 2007

In re Application of	:	
Goujon et al.	:	
Application No.: 10/529,186	:	DECISION
PCT No.: PCT/EP03/50702	:	
Int. Filing Date: 07 October 2003	:	ON
Priority Date: 12 October 2002	:	
Attorney Docket No.: 2088.001100/14.0210/PCT/US	:	PETITION
For: Multi-Part Seismic Cable	:	

This is a decision on applicants' "Petition" filed on 25 January 2007.

BACKGROUND

In a Decision mailed on 18 August 2006, the Form PCT/DO/EO/905 mailed on 30 August 2005 and the Forms PCT/DO/EO/909 mailed on 19 April 2006 and 15 June 2006 were **VACATED**.

On 30 August 2006, a Notification of Defective Response (Form PCT/DO/EO/916) was mailed to applicants, requiring the submission of an oath or declaration compliant with 37 CFR 1.497(a) and (b) and a surcharge under 37 CFR 1.492(h).

DISCUSSION

Petitioner requests "that the Office vacate the Notification of Defective Response dated August 30, 2006, on the basis that the Applicants never received a Notification of Missing Requirements (Form PCT/DO/EO/905)." Petitioner notes that the Decision mailed on 18 August 2006 stated in part that

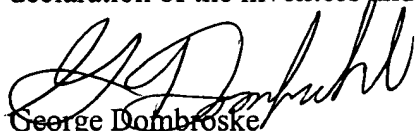
This application was being forwarded to the United States Designated/Elected Office (DO/EO/US) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventors is required.

Petitioner essentially argues that the USPTO erred in issuing a Notification of Defective Response (Form PCT/DO/EO/916) in place of the Notification of Missing Requirements (Form PCT/DO/EO/905) ordered by the Decision mailed on 18 August 2006. Review of the record reveals that in fact no Notification of Missing Requirements (Form PCT/DO/EO/905) was issued subsequent to the mailing of the Decision on 18 August 2006; instead, a Notification of Defective Response (Form PCT/DO/EO/916) was issued. Since the ordered Form PCT/DO/EO/905 was never issued nor responded to by applicants, the mailing of the Form PCT/DO/EO/916 on 30 August 2006 was improper. Therefore, the Form PCT/DO/EO/916 mailed on 30 August 2006 is hereby **VACATED**.

DECISION

The petition is **GRANTED**, to the extent noted above.

This application was being forwarded to the United States Designated/Elected Office (DO/EO/US) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring the submission of an executed oath or declaration of the inventors and a surcharge under 37 CFR 1.492(h).



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